App. F. IX-4]

Previous References.

(194/ .) Legis File No. 2-41
Serial Nos. 88

PRESERVED

Later References.

(12)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for April 1942

SUBJECT.

Amendments to the Defence of India Rules re. Avoidance of Strikes & Lockouts.

To

WD 03999—GPB—500—11-9-41

The Compiler Mysore Gazette

RL 154/Legis 2-41-88 dated 18-2-42

Republishes the notification of Govt of India

K.S.O.

Amendments to the Defence of India Rules re: Avoidance of Strikes & Lock-outs

General and Revenue Secretariat
R. A. & L. C.

File No. of 194 App. F. III-2

7371 RL

Serial No.

From
The Secretary to the Hon'ble the Resident in Mysore
Memorandum No F. 3-40 (5) /W dated 5th Feb
Forwarding copies of the Notification of the Govt of India, Defence Co-ordination Depart
regarding further amendment in the Defence of India Rules.

The amendment refers to the insertion of Rule 81 A after rule 81 of the Defence of India Rules. re: Avoidance of Strikes and lock-outs If approved, the said amendment will be republished in the Gazette of Mysore for general information

A draft ~~notification~~ is put up for approval

12-2-42 12.2.42

The draft may be approved

12.2.42

Law Secy)

Hon 2 14.2.42

Issue

14.2.42

SECY. LAW DEPT. 1386 12 FEB 1942 GOVT OF MYSORE

Issued No RL 1541 Legis 2-42-88 dated 18-2-42 to the Compiler Mysore Gazette. Republishes the notification of Govt of India regarding further amendment to the Defence of India Rule (insertion of Rule 81 A after Rule 81 re: avoidance of Strikes and lock-outs)

If approved, this file will be recorded

29.4.42

NOTE—Contn. Sheet.

OCT 1942

B

Amendment to the Defence of India Rul
re: Avoidance of Strikes and Lock-outs

General and Revenue Secretariat
R. A. & L. C.

File No. of 194 App. F. III-2

779 | RL

Serial No.

From
The Secretary to the Hon'ble the Resident in Mysore
Letter No F3(A)-40/W dated 17-2-1942
Forwards a copy of the notification of the Govt of India, Defence Co-ordination Department, regarding further amendment to the Defence of India Rules in the matter of avoidance of Strikes and lock outs

Submitted.

* Action has already been taken in respect of the amendment to the Defence of India Rules referred to by the Residency. The said amendment refers to the insertion of Rule 81A after Rule 81 of the Defence of India Rules with the object of averting Strikes and Lock-outs.

A notification has been issued in the Mysore Gazette (RL 1541 Legis 2-41-88) respecting the same

24
23-2-42 BVN 23/2/42

MEV 24/2

* Vide linked file (Legis 2-41-88)

NOTE—Contn. Sheet.

Legis 2-41-87

737/M

Pol 1994

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

MEMORANDUM No. F.3-40(5)/W.

Dated Bangalore, the 5th January *194*2.

Amendments to the Defence of India Rules.

Attention is invited to notification by the Government of India, Defence Co-ordination Department, No.1204-SM/42, dated the 21st January 1942, a copy of which is enclosed.

for SECRETARY TO THE RESIDENT.

THE HON'BLE THE RESIDENT IN MYSORE

NOTIFICATION.

No. F. 3-40(5)/W, dated Bangalore, the 31st January 1942.

The following notification of the Government of India, Defence Co-ordination Department, No. 1204-SM/42, dated the 21st January 1942, is republished.

P. M. RAMAN NAYAR
for *Secretary to the Resident.*

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 21st January 1942.

No. 1204-SM/42.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 81 of the said Rules, the following rule shall be inserted, namely :—

"81A. *Avoidance of strikes and lock-outs.*—(*1*) If in the opinion of the Central Government it is necessary or expedient so to do for securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community, the Central Government may, by general or special order, applying generally or to any specified area, and to any undertaking or class of undertakings, make provision for all or any of the following matters, namely :—

(*a*) prohibiting, subject to the provisions of the order, a strike or lock-out in connection with any trade dispute;

(*b*) referring or authorizing the Provincial Government to refer, any trade dispute for conciliation or adjudication in the manner provided in the order;

(*c*) requiring employers to observe such terms and conditions of employment as may be determined in accordance with the order to be, or to be not less favourable than, those existing in their respective undertakings at any time within three months preceding the date of the order;

and any such order may contain such incidental and supplementary provisions as appear to the Central Government to be necessary or expedient for the purposes of the order.

(*2*) Unless any such order makes express provision to the contrary, nothing therein shall affect the power to refer any trade dispute or matters connected therewith for report or settlement under the Trade Disputes Act, 1929 (VII of 1929).

(*3*) Nothing in the Arbitration Act, 1940 (X of 1940), shall apply to any proceedings under any such order.

(*4*) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

(*5*) In this rule, the expression "undertaking" means any undertaking by way of trade or business, and the expressions "employer", "lock-out", "strike" and "trade dispute" have the meanings respectively assigned to them in Section 2 of the Trade Disputes Act, 1929 (VII of 1929)."

A. DEC. WILLIAMS,
Secretary to the Government of India.

1079 (6)—4-2-1942—10—RPB.

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

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Section Legis

File No. 2-41

Serial No. 88

Notification No. R.L. 1541.

Diary No. of letter replied to .....

To

General and Revenue Secretariat
R. A. & L. C.
( )

The following notification of the Government of India, Defence Co-ordination Department, No. 1204-S.M/42, dated the 21st January 1942 is hereby republished for general information

Date of issue 18-2-42.

Signed by Mr. H.V. Narayana Rao.

By order
H.V.N. 14.2.42
Secy to Govt

List of enclosures .....

Copied by .....

DN
12-2-42

Examined by .....

12.2.42 Law Dept

To

The Compiler, Mysore Gazette, for publication in the Gazette & for supply of 50 copies to the Secretariat.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 3-40(5)/W, dated Bangalore, the 31st January 1942.

The following notification of the Government of India, Defence Co-ordination Department, No. 1204-SM/42, dated the 21st January 1942, is republished.

P. M. RAMAN NAYAR,
for *Secretary to the Resident.*

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 21st January 1942.

No. 1204-SM/42.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 81 of the said Rules, the following rule shall be inserted, namely :—

"81A. *Avoidance of strikes and lock-outs.*—(*1*) If in the opinion of the Central Government it is necessary or expedient so to do for securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community, the Central Government may, by general or special order, applying generally or to any specified area, and to any undertaking or class of undertakings, make provision for all or any of the following matters, namely :—

(*a*) prohibiting, subject to the provisions of the order, a strike or lock-out in connection with any trade dispute;

(*b*) referring or authorizing the Provincial Government to refer, any trade dispute for conciliation or adjudication in the manner provided in the order;

(*c*) requiring employers to observe such terms and conditions of employment as may be determined in accordance with the order to be, or to be not less favourable than, those existing in their respective undertakings at any time within three months preceding the date of the order;

and any such order may contain such incidental and supplementary provisions as appear to the Central Government to be necessary or expedient for the purposes of the order.

(*2*) Unless any such order makes express provision to the contrary, nothing therein shall affect the power to refer any trade dispute or matters connected therewith for report or settlement under the Trade Disputes Act, 1929 (VII of 1929).

(*3*) Nothing in the Arbitration Act, 1940 (X of 1940), shall apply to any proceedings under any such order.

(*4*) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

(*5*) In this rule, the expression "undertaking" means any undertaking by way of trade or business, and the expressions "employer", "lock-out", "strike" and "trade dispute" have the meanings respectively assigned to them in Section 2 of the Trade Disputes Act, 1929 (VII of 1929)."

A. DEC. WILLIAMS,
Secretary to the Government of India.

1079 (6)—4-2-1942—10—RPB.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. R.L.1541- Legis 1-41-88 General and Revenue Secretariat,

Dated Bangalore, 18th FEBRUARY 1942.

NOTIFICATION.

The following notification of the Government of India, Defence Co-ordination Department, No.1204-SM/42, dated the 21st January 1942, is hereby republished for general information.

By Order,

M.R.Haradaraje Urs
for SECRETARY to GOVERNMENT,
Law Department.

The Compiler, Mysore Gazette, for publication in the gazette and supplying 50 copies to the Secretariat.

Bs/10.

GOVERNMENT OF INDIA

DEFENCE CO-ORDINATION DEPARTMENT

NOTIFICATION

New Delhi, the 21st January 1942.

No.1204--SM/42.--In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:--

After rule 81 of the said Rules, the following rule shall be inserted, namely:--

"81A. AVOIDANCE OF STRIKES AND LOCK-OUTS.--(1) If in the opinion of the Central Government it is necessary or expedient so to do for securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community, the Central Government may, by general or special order, applying generally or to any specified area, and to any undertaking or class of undertakings, make provision for all or any of the following matters, namely:--

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A. DeC. WILLIAMS,
Secretary to the Government of Indi

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GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. Rd. 15.41- Legn 2-41-88 General and Revenue Secretariat,

Dated Bangalore, ...18th FEBRUARY 1942.

NOTIFICATION.

The following notification of the Government of India, Defence Co-ordination Department, No.1204-S1/42, dated the 21st January 1942, is hereby republished for general information.

By Order,

M. K. Narasaraja

for SECRETARY to GOVERNMENT,
Law Department.

The Compiler, Mysore Gazette, for publication in the gazett and supplying 50 copies to the Secretariat.

Bs/10.

999/M

F 3 (A) - 40/40

The Residency,

Bangalore.

17-2-42

OFFICE OF THE SEC
Mr DN
LEGISLATIVE ASSEMBLY

Four lists of corrections to the
Defence of India Act + Rules

Forwarded with the compliments of the Secretary to the Hon'ble the Resident in Mysore.

Legis
17 FEB 19
GOVT. OF

The Chief Secretary to the
Govt of Mysore,
Bangalore.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 3-40(5)/W, dated Bangalore, the 31st January 1942.

The following notification of the Government of India, Defence Co-ordination Department, No. 1204-SM/42, dated the 21st January 1942, is republished.

P. M. RAMAN NAYAR,
for *Secretary to the Resident.*

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 21st January 1942.

No. 1204-SM/42.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

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A. DEC. WILLIAMS,
Secretary to the Government of India.

1079 (6)—4-2-1942—10—RPB.

NOTIFICATION.

No. R. L. 1541 *Legis* 2-41-88, *dated* 18*th February* 1942.

The following notification of the Government of India, Defence Co-ordination Department, No. 1204-SM/42, dated the 21st January 1942, is hereby republished for general information.

By Order,

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

GOVERNMENT OF INDIA.

Defence Co-ordination Department.

Notification.

New Delhi, 21st January 1942.

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A. DeC. Williams,
Secretary to the Government of India.

Printed by the Superintendent at the Government Press, Bangalore.